

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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SENATE BILL 54

Short Title: Municipal Drainage Service Districts. (Local)

Sponsors: Senator Soles.

Referred to: Finance.

February 4, 2009

A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE CREATION OF MUNICIPAL SERVICE DISTRICTS FOR
DRAINAGE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160A-536(a) reads as rewritten:

"(a) Purposes. – The city council of any city may define any number of service districts in order to finance, provide, or maintain for the districts one or more of the following services, facilities, or functions in addition to or to a greater extent than those financed, provided or maintained for the entire city:

- (1) Beach erosion control and flood and hurricane protection works.
- (1a) Any service, facility, or function which the municipality may by law provide in the city, and including but not limited to placement of utility wiring underground, placement of period street lighting, placement of specially designed street signs and street furniture, landscaping, specialized street and sidewalk paving, and other appropriate improvements to the rights-of-way that generally preserve the character of an historic district; provided that this subdivision only applies to a service district which, at the time of its creation, had the same boundaries as an historic district created under Part 3A of Article 19 of this Chapter.
- (2) Downtown revitalization projects.
- (2a) Urban area revitalization projects.
- (2b) Transit-oriented development projects.
- (2c) Drainage. For the purpose of this subdivision, "drainage" includes only increasing the number of ditches within the corporate limits to handle the collection and drainage of stormwater and investing in other public work projects that will serve to reduce flooding within the corporate limits and improve the health, safety, and welfare of the real property owners and residents of the municipality. The authorization in this section is in addition to that provided by subdivision (3) of this subsection.
- (3) Drainage projects.
- (3a) Sewage collection and disposal systems of all types, including septic tank systems or other on-site collection or disposal facilities or systems.
- (3b) Lighting at interstate highway interchange ramps.
- (4) Off-street parking facilities.
- (5) Watershed improvement projects, including but not limited to watershed improvement projects as defined in General Statutes Chapter 139; drainage projects, including but not limited to the drainage projects provided for by



1 General Statutes Chapter 156; and water resources development projects,
2 including but not limited to the federal water resources development projects
3 provided for by General Statutes Chapter 143, Article 21."

4 **SECTION 2.** Article 23 of Chapter 160A of the General Statutes is amended by
5 adding a new section to read:

6 "**§ 160A-537.1. Additional requirements for certain drainage districts.**

7 In addition to the requirements of G.S. 160A-537, no district created for drainage purposes
8 under G.S. 160A-536(2c) may be created by a municipality unless exercise of the powers of
9 that subdivision is approved by the voters of that municipality in a referendum held either at the
10 time of the county general election or a regular municipal election. Approval of such a
11 referendum authorizes levy of a property tax within that district at a rate not to exceed one
12 dollar and fifty cents (\$1.50) on the one hundred dollars (\$100.00) appraised value of real
13 property located within the district."

14 **SECTION 3.** This act is effective when it becomes law.